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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 (OAKLAND DIVISION)

14 IN RE: LITHIUM ION BATTERIES
15 ANTITRUST LITIGATION

Case No. 4:13-md-02420 YGR (DMR)
MDL No. 2420

16 This Document Relates to:

17 ALL DIRECT PURCHASER AND
18 INDIRECT PURCHASER CLASS
19 ACTIONS

**DECLARATION OF J. FRANK
HOGUE IN SUPPORT OF OTHER
DEFENDANTS' UNOPPOSED
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE RESPONSE TO
PLAINTIFFS' SUPPLEMENTAL
BRIEF RE: MOTION FOR RELIEF
FROM NON-DISPOSITIVE
PRETRIAL ORDER OF
MAGISTRATE JUDGE**

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DECLARATION OF J. FRANK HOGUE IN SUPPORT OF OTHER
DEFENDANTS' UNOPPOSED ADMINISTRATIVE MOTION FOR LEAVE TO FILE RESPONSE TO
PLAINTIFFS' SUPPLEMENTAL BRIEF RE: MOTION FOR RELIEF FROM NON-DISPOSITIVE
PRETRIAL ORDER OF MAGISTRATE JUDGE
Case No. 4:13-md-02420 YGR (DMR), MDL No. 2420

1 I, J. Frank Hogue, hereby declare as follows:

2 1. I am an active member in good standing of the bars of the State of Maryland,
3 the District of Columbia, and the U.S. District Court for the District of Washington, DC. I
4 am admitted *pro hac vice* in this litigation pursuant to the Court's Order Setting Initial
5 Conference (Mar. 4, 2013), ECF No. 8. I am an attorney with the law firm of White & Case
6 LLP, counsel of record for Toshiba Corporation. Except for those matters stated on
7 information and belief, which I believe to be true, I have personal knowledge of the facts set
8 forth herein and, if called upon, could and would competently testify thereto under oath.

9 2. I submit this declaration in support of Other Defendants' Unopposed
10 Administrative Motion For Leave To File Response to Plaintiffs' Supplemental Brief Re:
11 Motion For Relief From Non-Dispositive Pretrial Order of Magistrate Judge, filed
12 contemporaneously herewith.

13 3. On October 27, 2015, I met and conferred with counsel for the Direct
14 Purchaser Plaintiffs regarding certain Defendants' intention to file an Administrative Motion
15 For Leave to File a Response to Plaintiffs' Supplemental Brief re: Motion for Relief from
16 Non-Dispositive Pretrial Order of Magistrate Judge. Following that call, counsel for the
17 Direct Purchaser Plaintiffs confirmed that the Direct Purchaser Plaintiffs and Indirect
18 Purchaser Plaintiffs do not oppose Other Defendants Administrative Motion for Leave to File
19 a Response to Plaintiffs' Supplemental Brief re: Motion for Relief from Non-Dispositive
20 Pretrial Order of Magistrate Judge.

21 4. On October 28, 2015, I met and conferred with counsel for LG Chem, Ltd.
22 regarding certain Defendants' intention to file an Administrative Motion For Leave to File a
23 Response to Plaintiffs' Supplemental Brief re: Motion for Relief from Non-Dispositive
24 Pretrial Order of Magistrate Judge. Counsel for LG Chem confirmed that LG Chem does not
25 oppose Other Defendants' Administrative Motion for Leave to File a Response to Plaintiffs'
26 Supplemental Brief re: Motion for Relief from Non-Dispositive Pretrial Order of Magistrate
27 Judge.

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DECLARATION OF J. FRANK HOGUE IN SUPPORT OF OTHER
DEFENDANTS' UNOPPOSED ADMINISTRATIVE MOTION FOR LEAVE TO FILE RESPONSE TO
PLAINTIFFS' SUPPLEMENTAL BRIEF RE: MOTION FOR RELIEF FROM NON-DISPOSITIVE
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2 I declare under penalty of perjury that the foregoing is true and correct.

3 Executed this 28th day of October, 2015, in Washington, D.C.

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5 /s/ J. Frank Hogue

6 J. Frank Hogue
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DECLARATION OF J. FRANK HOGUE IN SUPPORT OF OTHER
DEFENDANTS' UNOPPOSED ADMINISTRATIVE MOTION FOR LEAVE TO FILE RESPONSE TO
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